

CHICAGO DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT DIVISION

STREET AND ALLEY VACATION PROGRAM
FOR NOT FOR PROFIT USE

2 North LaSalle Street, Suite 950
Chicago, IL 60602

Revised 5/31/2024

STREET AND ALLEY VACATION PROGRAM - NOT FOR PROFIT USE

A. PROGRAM INTENT

Jane Addams envisioned the charitable activities of Hull House as a chorus of voices “lifted by a high motive.” This tradition continues in Chicago with a wide ranging network of charitable organizations that have served its citizens in critical times of need. In the City’s efforts to support and promote the activities of philanthropic organizations, the City of Chicago established this program to address the needs of not for profit organizations.

Under the Street and Alley Vacation Program for Not for Profit Use, the City reviews proposals to vacate little-used streets and alleys to not for profit organizations located on adjacent sites. The vacated rights-of-way can then be used for expansion and modernization purposes, employee/client vehicular and bicycle parking, walkways, improved security, truck staging, landscaping, the creation of a campus, or other accessory uses.

The benefits of the not for profit vacation program are not realized exclusively by the participating organization. The public good is also served by the expanded activities of the organization, as well as by the reduction of City expenditures on street and alley maintenance and crime prevention.

B. ELIGIBILITY GUIDELINES

1. The applicant must be the Board of Trustees or other governing authority of an operating non-for-profit corporation. Not-for-profit corporations are those that are primarily engaged in charitable, scientific, and educational pursuits as described by the Not for Profit Corporation Act of 1986.
2. Applicant organizations must be able to show current 501c standing, and current good standing with the Illinois Secretary of State.
3. Intended use of the adjacent properties and the area to be vacated, must be **exclusively** charitable. Projects that include any element of commercial or residential use will be processed under the terms of the Vacation Program for Commercial/Residential Use.
4. The applicant must be able to demonstrate no less than five (5) years of continuous operation and service to the community and be the owner of the property directly abutting the area proposed for vacation. For new development projects, proof of funding will be required.
5. The proposed right-of-way to be vacated must be used directly to support secular, charitable activities currently conducted by the applicant for the benefit of the community. Examples of these might include: building

expansion to serve a larger number of clients, installation of loading docks to improve means of distributing materials to the public, construction of vehicular or bicycle parking facilities to serve clients and employees, or similar activities that conform to the Chicago Zoning Ordinance.

6. If there are multiple property owners abutting the vacation area, or deemed to be affected by the proposal, all owners must concur and participate in the vacation process via quit claim or co-application.

C. PROGRAM REQUIREMENTS

General Requirements:

1. The applicant's property must be located in an area zoned for the proposed use and be adjacent to the area to be vacated.
2. The proposed vacation must not have a significant adverse effect on the security, accessibility, or operations of nearby land uses. Projects must meet basic configuration criteria; configurations that propose to dead-end an alley or street mid-block, reroute street traffic through an alley, vacate half the width of a street/alley, create an irregular right-of-way line or superlot, vacate air rights, or vacate right-of-way leading to a public amenity will not be granted. CDOT reserves the right to reject proposals that are not judged to be in the public's best interest, or that are deemed contrary to the Department's mission.
3. The applicant must pay all fees necessary to complete any utility relocations, removals, or otherwise resolve the objections as requested by the Office of Underground Coordination (OUC) [member agencies](#). This may also include the granting of easements for access by the utility to its equipment (which will be handled by the City).
4. The applicant must pay all fees associated with application, plat creation and review, survey work, title work, land appraisals (although the resulting valuation will not ultimately be paid to the City), recording, and any other associated expenses necessary to ensure the success of the land conveyance.
5. If dedication of any new right-of-way (street or alley) is necessitated by the proposed vacation configuration, the applicant will be responsible for building the new right-of-way to current [City standards](#), at their own expense. Please note that the value of the dedication will not be credited against the appraised value of the vacation. (Applicants will be advised if a dedication of new right-of-way is necessary for their project.)
6. The applicant must occupy and maintain the vacated right-of-way and the abutting property continuously. Failure to actively occupy for a period of 12 consecutive months will constitute abandonment and the City will move to retake. The lack of company property, use, and/or company signage on the

site will constitute abandonment. Failure to secure the area against illegal use, and failure to develop the site per the agreed upon plan, will also serve as grounds for reversion to the City.

Requirements Specific to Not for Profit Applicants:

7. The applicant must agree to and complete the required Redevelopment Agreement (a restrictive covenant on the land). The Redevelopment Agreement limits use of the vacated right-of-way to not for profit purposes only and must be recorded along with the ordinance with the Cook County Recorder's Office at the time of the vacation.
8. The applicant assumes responsibility for the maintenance of the vacated right-of-way, as specified in the accompanying Redevelopment Agreement.
9. The applicant agrees not to sell, transfer, or lease the area to be vacated, for the term specified in the Redevelopment Agreement, without City Council approval. Conveyance to a second party that is not qualified under the program will require additional City review and appraised compensation to the City of Chicago.
10. The applicant should understand that failure to comply with the above conditions and those set forth in the Redevelopment Agreement, will allow the City, at its option, to recover the vacated property, or require the owner to pay fair market value in order to release the Redevelopment Agreement.

D. APPLICATIONS AND REVIEW

Applications will be reviewed in the order they are received. Application materials should be mailed to:

CDOT - Project Development Division
Attn: Public Way Unit
2 N. LaSalle St, Suite 950
Chicago, IL 60602

Projects are completed in four phases, as outlined below.

1. PHASE 1: INITIAL PROGRAM REVIEW

Initial review of application materials will be conducted by CDOT program managers to ensure that the proposed project qualifies under the program guidelines and meets basic configuration criteria. At this time you will be assigned a CDOT manager, a CDOT file number, and will receive an invoice for the \$2,000 non-refundable application fee. Please keep a copy of your submission in your files. Note: CDOT reserves the right to reject any

application not meeting the burden of documentation, program and/or configuration criteria, or not judged to be in the best interest of the City.

2. PHASE 2: AGENCY REVIEW

If the proposal is deemed acceptable by the CDOT manager, the project will be submitted to the Office of the Underground Coordination (OUC) for review by member entities with interest and/or facilities in the right-of-way. Once comments are received from the member entities, they will be provided to the applicant. The applicant will then have 90 days to coordinate, resolve, and submit proof of mutually satisfactory negotiations with any involved member entities. Obligations shall be summarized in a Resolution Letter that will be used in the ordinance to effectuate the vacation.

3. PHASE 3: LEGISLATION

In preparation for City Council review, CDOT will work with applicants to finalize the plat(s), submit their Electronic Disclosure Statement to the Law Department, and review and provide any comments on the draft ordinance. After initial introduction at City Council, an appraisal will be ordered by the Law Department (appraiser fee paid for by applicant, but **payment of the appraised amount is waived for industrial applicants in the restrictive covenant program**). At this time, applicants must (re)familiarize the local Alderman with the project and appear at the Transportation Committee to present the project. If passed by the Transportation Committee, the ordinance proceeds to full Council for the final vote and passage.

4. PHASE 4: RECORDING

30 days after the ordinance is passed by City Council, the legislation is published by the City Council Journal, making it law. Only legislation that has been published in the Journal can begin the recording process. Prior to recording the final documents, any additional construction, utility, or related fees must be paid by the applicant. Once payments are received, the CDOT manager will provide a certified copy of the ordinance to the applicant. The applicant will record the ordinance and accompanying Redevelopment Agreement, which restricts the use of the vacated right-of-way, with the Cook County Recorder's Office. The ordinance is valid for 180 days following the date of City Council passage, during which the applicant must complete any payments and record the required documents. Applicants can expect approximately 10 months from CDOT's receipt of a complete application package to final processing of the project.

APPLICATION FORM
STREET AND ALLEY VACATION PROGRAM - NOT FOR PROFIT USE

Main Contact

Name on Title (if a trust, list company name):

Company Contact:

Phone/Fax:

Address (City, State, Zip):

Email:

Secondary Contact (typically Applicant Representative or Counsel)

Name:

Company:

Phone/Fax:

Address (City, State, Zip):

Email:

Purchaser Contact (only required if land is being sold and buyer is leading application)

Name:

Company:

Phone/Fax:

Address (City, State, Zip):

Email:

Note: Full contact information for two project representatives is required.

Project Location:

General location with boundaries (ex: "S. Smith St between W. Riley St & W. George St" or "the north-south alley in the block bounded by S. Smith St, W. Riley St, S. Jane St, and W. George St")

Zoning:

Ward:

Description of Intended Use:

Will the vacated street/alley be 1) used a driveway or 2) built over:

Estimated cost to the applicant to develop the overall site (including the area proposed for vacation):

Proposed square footage of new construction:

Current Operations:

Size of applicant's current operation in square feet:

Number of Employees: full-time part-time total

Length of time applicant has been at current address:

Signature below certifies that the site adjacent to the subject area is being / will be used exclusively for charitable or educational use. **Projects with any commercial or market residential components are not allowable under this program and must be handled under the Street and Alley Vacation Program for Commercial/Residential Use.** The below also certifies that any zoning change or ownership change (that occurs on the applicant's property or any neighbor adjacent to the area to be vacated) will be promptly reported to the CDOT program manager prior to ordinance.

Applicant's Name:

Applicant's Signature:

Date:

Notary:

Instructions: If an accompanying dedication will be required to complete the vacation, the text below must be reproduced on the applicant's letterhead, initialed/executed by the applicant, and notarized.

DUTY TO BUILD AGREEMENT

In support of my current application with the Chicago Department of Transportation's Public Way unit for a dedication of my private property for new public way, I hereby state that I am the applicant, or the company agent for the applicant involved in the property, and that I have the authority to agree to the below terms of the dedication.

Initial

_____ I am aware that I am responsible for the construction of all public and private rights of way (streets, alleys, etc.) described on the Plat of Vacation/Dedication associated with CDOT File No (to be added by CDOT later): _____

_____ I further understand that all rights of way being dedicated must be built to standard City specifications as detailed in the most current version of CDOT's Regulation for Openings, Construction and Repair in the Public Way; with lighting in the public way designed and approved in accordance with the CDOT Electrical Design Standards, both of which are included on the [CDOT Maps and Plats website](#).

_____ Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be subpar or that do not adhere to the City's standards.

Signed: _____ Date: _____

Printed Name: _____ Title: _____

Full Address: _____

Organization Name: _____

Phone: _____ Fax: _____

Email: _____

Notary:

APPLICATION CHECKLIST

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Note: Please submit the following in a single package. Original documents are not required. If the file is opened and subsequently closed due to inactivity (i.e.: after three attempts by CDOT to complete the file), a reapplication fee will be assessed.

Project Overview:

- Completed 2-Page Application Form for applicable program (2 copies)
- \$2000 non-refundable application fee will be invoiced after receipt of application
(no fee payment shall be submitted with initial application materials)

Ownership Documentation:

- Current title policy showing PINs, legal descriptions of land, and ownership to ALL lots adjacent to the proposed vacation. Title should be no more than 1 year old. Tract searches and pro-forma titles are not acceptable. (1 copy of each document)
- If applicant doesn't have ownership to all lots adjacent to the proposed vacation, provide recorded Quit Claim Deed(s) and proof of ownership from each adjacent property owner OR file a co-application. (1 copy of each document)
- If the land is held in trust, provide current certified copies of any land trusts naming the beneficiary. (1 copy of each document)

Note: any changes in ownership that occur during the vacation/dedication process must be reported to the CDOT Program Manager immediately or the ordinance will be nullified.

Not for Profit Eligibility:

- Proof of 501C tax status and current good standing with the Illinois Secretary of State (1 copy)
- Bylaws of the organization (1 copy), list of Board of Directors (1 copy), and articles of incorporation (1 copy)
- Full, quantified description of **secular** activities occurring on the site (1 copy)

Design Proposal:

- Certified copy of a plat of vacation that adheres to the [Plat Requirements](#) in three different sizes: 8.5x11 (1 copy), 11x17 (1 copy), and full-size (1 copy)
- 8.5x11 site plan depicting the intended use of the area to be vacated (1 copy)
- If the proposal is part of a Planned Development project, or an amendment to a Planned Development, it must be reviewed by the CDOT Plan Review Committee (PRC) and meet applicable [PRC guidelines](#). Note a traffic study may be required. Provide PRC approval and proof of funding (1 copy)*

Dedications:

If the proposal requires a new dedication of public way, also include:

- Duty to Build Agreement, executed and notarized on applicant's letterhead (1 copy)
- Phase 1 Environmental Site Assessment (ESA) conducted in accordance with ASTM E1527-13 standards and dated within 180 days of application is required, but CDOT will request the ESA electronically **(no hard copies required)**